

## Joe Harmon's statement

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Date: Thursday, July 16, 2020, 04:50 PM EDT

### STATEMENT OF THE GENERAL SECRETARY

MR. JOSEPH HARMON OF APNU

ON THE OCCASION OF 9TH ANNIVERSARY OF THE PARTNERSHIP

Nine years ago, on 15th July 2011, five political parties, the Guyana Action Party (GAP), the Justice For All Party (JFAP), the National Front Alliance (NFA), the People's National Congress Reform (PNCR) and the Working People's Alliance (WPA) came together to launch A Partnership for National Unity (APNU). It was clear then as it is clear now that the racial-based politics and policies of the past has no place in the future, and Guyana with all of its resources would not reach its true potential and embrace modernity if the old ways of doing business was allowed to continue. The Partnership (APNU) gave the nation a chance to hit the reset button, and the leaders, a new pallet on which to promote policies and programs designed to advance the interest of all the people of Guyana.

Guyana today is a nation, and no longer a plantation from whence our history of slavery and indentureship came. The APNU is in a battle for the people of this nation versus those who spent 23 years wrecking it – WRECKERS - the wreckers of stellings, the wreckers of sea defenses, the wreckers of roadways, and the wreckers of lives. That is what our battle is about - construction versus destruction; cooperation versus confrontation and the good life versus poverty and communal disintegration.

As we mark that milestone yesterday, dark forces are threatening to pull us apart. APNU believes in a community working together for a common cause. Our approach is rooted in the belief that each citizen performs best in a strong and safe community of people who share common values.

We are proud of our service to the nation in nine short years. APNU has broken down barriers of social prejudice; smashed the barriers of bigotry and broke through with new ideas and a new vision for Guyana's future. APNU is the future. We have chosen hope over despair and faith over fear.

Together with the Alliance For Change (AFC), we entered government in 2015 as a Coalition and over those five years we have restored hope to the people of Guyana. We have successfully ended 23 years of 'wreckage' carried out by the PPP/C. Block by block, we have rebuilt this nation from the rubble and restored national pride. We have gone from being viewed as a narcotic state to being removed from the anti-money laundering blacklist. We have aggressively tackled corruption, which according to one newspaper editorial during the Jagdeo era was on an industrial scale. We have brought back the dignity of human life and placed a strong premium on Guyanese life; extra-judicial killings are now a thing of the past. We have cleaned up the tattered legacy which Jagdeo and the PPP/C left us.

We have consistently over the last four years maintained a Tier 1 ranking in the trafficking in persons rating. We have addressed, among other things, education, public infrastructure, public security, public health, and social protection and people are now proud to say "I am Guyanese." We are engaged at the International Court of Justice (ICJ) to finally bring an end to the unjust claim by Venezuela to a significant portion of our territory.

Over these five (5) years no foreign government has had the need to accuse us of corruption or mismanagement in public office.

All of these developments are now under threat. Our General and Regional election of March 2, 2020, and after 135 days is not concluded. The current situation is that the final declaration of the Chairman of the Guyana Elections Commission (GECOM) is now engaging the High Court. After three submissions on the 14th March 2020, 23rd June, 2020, 11th July, 2020, made by the Chief Elections Officer (CEO) of GECOM showing a majority of votes cast at the elections for the APNU+AFC, the PPP has placed obstacles in the way of the Chairman of the Commission in declaring David Granger as President.

The PPP and their backers, mostly the backers are seeking to rely on a partial report of a fraudulent recount process to coerce the Chairman of GECOM to make a declaration in their favor.

The Caribbean Court of Justice (CCJ), in its judgment delivered on July 8th, 2020, determined that the decision of the Court of Appeal of Guyana in the Eslyn David vs. Guyana Elections Commission (GECOM) et al case was made without jurisdiction and is invalid and of no effect and the report of the Chief Elections Officer dated June 23rd, 2020 which showed the majority of votes for APNU+AFC was also of no effect.

The CCJ in its ruling, while acknowledging the aim of the recount Order No. 60, noted that the Order ought not to contradict the Constitution of the Co-operative Republic of Guyana. The CCJ stated:

"The court also notes that an Order issued by GECOM in any particular context can never determine how the Constitution is to be determined. It is a matter of elementary constitutional law that if ordinary legislation is in tension with the Constitution, then the Court must give precedence to the words of the Constitution and not the other way around. With respect, the notion that Order No. 60 could either impact the interpretation of the Constitution or create a new election regime at variance with the plain words of the Constitution is constitutionally unacceptable."

The CCJ's ruling has meant that the recount order created a new electoral regime and as such, was not in keeping with the Constitution of Guyana. This has meant, also, that votes tabulated during the National Recount cannot be used to declare the results of the General and Regional elections. The CCJ in its ruling (at paragraph 37) stated further;

"The Presidential Candidate on the list for which more votes have been cast than any other list is deemed to be elected as President and the Chairman of GECOM must declare. The allocations of seats in the National Assembly and the identification of the successful Presidential Candidate are determined on the sole basis of votes counted and information furnished by returning officers under the Representation of the People Act."

The CCJ's ruling clearly invalidated the recount process indicating that the Chairman of the Guyana Elections Commission was obliged to act in full accordance with the Constitution of Guyana and the judgment of the CCJ and declare the elections results based on the report presented by the Chief Elections Officer.

The people of Guyana and the PPP know that the APNU+AFC have the greater number of valid votes cast in the elections. However, these elections now seem to be no longer about the Guyanese people, but about other interests. APNU supports the Coalition clarity that our electoral process is still not complete and that calls to concede in the circumstance from whatever source it comes are prematurely a coercive ploy, a violation of our constitution and laws, and we will not bend.

And to this, APNU iterate that Guyana is an independent and sovereign state and respect and cherish our relations at a diplomatic level with all states. We stand firm against any threats or actions which are aimed at violating the trust which exist between our leadership and our people. We will, with patient restraint, await the lawful outcome of our electoral process.

In the words of our National Pledge:-

I pledge myself to honour always the flag of Guyana.  
And to be loyal to my country,  
To be obedient to the laws of Guyana,  
To love my fellow citizens,  
And to dedicate my energies,  
Towards the happiness and prosperity of Guyana.

Today, as we look toward our 10th year, APNU assures our supporters and the people of Guyana that we will continue to stand firm. Our cause is just and we are confident in the victory of good over evil.

A Partnership for National Unity  
APNU  
Thursday 16th July 2020